

Message Text

LIMITED OFFICIAL USE

PAGE 01 TOKYO 08146 080239Z
ACTION L-03

INFO OCT-01 EA-10 ISO-00 JUSE-00 DODE-00 INR-10 CIAE-00
/024 W

-----039593 080243Z /62

R 080230Z MAY 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 7683

LIMITED OFFICIAL USE TOKYO 08146

E.O. 11652: N/A
TAGS: ACLM, JA, MARR
SUBJECT: JAPANESE CIVIL SUIT AGAINST U.S. FILED IN
1973 RE USG USE OF TACHIKAWA SEWAGE FACILITIES

REF: (A) STATE 064909, (B) 77 TOKYO 15637, (C) 74 TOKYO
13976, (D) 74 STATE 213370, (E) 74 TOKYO 12389

1. EMBOFF DISCUSSED CONTENTS OF REF A WITH MOFA SECURITY
DIVISION OFFICER (ANDO) WHO TOOK POSITION THAT GOJ HAD
PROVIDED PROPER SERVICE IN DIPLOMATIC NOTE OF DECEMBER
13, 1973. THIS NOTE, WHICH WAS POUCHED TO DEPARTMENT
PER REF C, PROVIDED NOTICE THAT SUIT HAD BEEN FILED
AGAINST USG IN TOKYO DISTRICT COURT, OUTLINED CAUSE
OF ACTION, SPECIFIED AMOUNT OF DAMAGES SOUGHT BY
PLAINTIFFS AND REQUESTED THAT USG INFORM GOJ CONCERNING
NAMES AND ADDRESSES OF THOSE WHO WOULD REPRESENT USG IN
LITIGATION.

2. AS OUTLINED REF B, EMBASSY CONSIDERS THIS LITIGATION
TO BE WITHOUT SUBSTANTIVE LEGAL CAUSE. USG REFUSAL TO
CONSENT TO BECOMING DEFENDANT WOULD MEAN THAT, PURSUANT
TO JAPANESE LAW, CASE WOULD BE DROPPED. REFUSAL IS UN-
LIKELY TO HAVE ANY ADVERSE POLITICAL IMPACT. ACCEP-
TANCE, ON OTHER HAND, WOULD RESURRECT NOW-DORMANT ISSUE.
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IT IS ALSO OUR IMPRESSION THAT GOJ (MOFA) WOULD PREFER
THAT WE REFUSE TO BECOME DEFENDANT.

3. PLEASE ADVISE. SHERMAN

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION, WATER SUPPLY SYSTEM, SEWAGE, GOVERNMENT DEBTS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TOKYO08146
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780194-0672
Format: TEL
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780581/aaaacrff.tel
Line Count: 59
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 16aa2aa2-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
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Previous Handling Restrictions: n/a
Reference: 78 STATE 64909, 77 TOKYO 15637, 74 TOKYO 1
Retention: 0
Review Action: RELEASED, APPROVED
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